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Santa Clara, CA 95052

Intel Legal Team

Fax

Page 1 of 13

Date: 15-Jun-04

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To: Jack S.J. Chen                      Fax: 703-872-9306              Phone: 703-308-4940  
United States Patent and Trademark Office

From: Mark V. Seeley                      Fax: 408-765-7723              Phone: 408-765-7382

Subject:              Amendment in Application Serial No. 10/052,853

## A CONFIRMATION COPY OF THIS DOCUMENT:

WILL NOT BE SENT

Application No.:              10/052,853  
Filing Date:              November 9, 2001  
First Named Inventor: Glen Wada et al.  
Group Art Unit:              2813  
Examiner Name:              J. Chen  
Attorney Docket No.: 042390.P7198D

## Enclosures:

1. Transmittal Form (1 page).
2. Fee Transmittal for FY 2004 (1 page in duplicate).
3. Response (9 pages).

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 0.00**Compleat If Known**

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/052,853       |
| Filing Date          | November 9, 2001 |
| First Named Inventor | Glen Wada et al. |
| Examiner Name        | J. Chen          |
| Art Unit             | 2813             |
| Attorney Docket No.  | 042390.P7196D    |

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

50-0221

Intel Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid         |
|----------------------------|----------------------------|------------------------|------------------|
| 1001 770                   | 2001 385                   | Utility filing fee     |                  |
| 1002 340                   | 2002 170                   | Design filing fee      |                  |
| 1003 530                   | 2003 265                   | Plant filing fee       |                  |
| 1004 770                   | 2004 385                   | Reissue filing fee     |                  |
| 1005 180                   | 2005 80                    | Provisional filing fee |                  |
| <b>SUBTOTAL (1)</b>        |                            |                        | <b>(\$ 0.00)</b> |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    |    | Extra Claims |   | Fee from below | Fee Paid |
|--------------------|----|--------------|---|----------------|----------|
| Total Claims       | 15 | -20** = 0    | x | 18             | = 0      |
| Independent Claims | 3  | -3** = 0     | x | 86             | = 0      |
| Multiple Dependent |    |              |   | 290            | = 0      |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 1202 18                    | 2202 9                     | Claims in excess of 20                                     |
| 1201 86                    | 2201 43                    | Independent claims in excess of 3                          |
| 1203 290                   | 2203 145                   | Multiple dependent claim, if not paid                      |
| 1204 86                    | 2204 43                    | ** Reissue independent claims over original patent         |
| 1205 18                    | 2205 9                     | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** (\$ 0.00)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity


| Fee Code (\$) | Fee Code (\$) | Fee Code (\$) | Fee Description  | Fee Paid |
|---------------|---------------|---------------|--|----------|
| 1051 130      | 2051 65       |               | Surcharge - late filing fee or oath  |          |
| 1052 50       | 2052 25       |               | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130      | 1053 130      |               | Non-English specification  |          |
| 1812 2,520    | 1812 2,520    |               | For filing a request for ex parte reexamination                            |          |
| 1804 820*     | 1804 820*     |               | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*   | 1805 1,840*   |               | Requesting publication of SIR after Examiner action                        |          |
| 1251 110      | 2251 55       |               | Extension for reply within first month                                     |          |
| 1252 420      | 2252 210      |               | Extension for reply within second month                                    |          |
| 1253 950      | 2253 475      |               | Extension for reply within third month                                     |          |
| 1254 1,480    | 2254 740      |               | Extension for reply within fourth month                                    |          |
| 1255 2,010    | 2255 1,005    |               | Extension for reply within fifth month                                     |          |
| 1401 330      | 2401 165      |               | Notice of Appeal   |          |
| 1402 330      | 2402 165      |               | Filing a brief in support of an appeal                                     |          |
| 1403 290      | 2403 145      |               | Request for oral hearing   |          |
| 1451 1,510    | 1451 1,510    |               | Petition to institute a public use proceeding                              |          |
| 1452 110      | 2452 55       |               | Petition to revive - unavoidable   |          |
| 1453 1,330    | 2453 665      |               | Petition to revive - unintentional   |          |
| 1501 1,330    | 2501 665      |               | Utility issue fee (or reissue)   |          |
| 1502 480      | 2502 240      |               | Design issue fee   |          |
| 1503 640      | 2503 320      |               | Plant issue fee  |          |
| 1480 130      | 1480 130      |               | Petitions to the Commissioner  |          |
| 1807 50       | 1807 50       |               | Processing fee under 37 CFR 1.17(q)  |          |
| 1805 180      | 1805 180      |               | Submission of Information Disclosure Stmt                                  |          |
| 8021 40       | 8021 40       |               | Recording each patent assignment per property (times number of properties) |          |
| 1809 770      | 2809 385      |               | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 770      | 2810 385      |               | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770      | 2801 385      |               | Request for Continued Examination (RCE)                                    |          |
| 1802 900      | 1802 900      |               | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 0.00)**SUBMITTED BY**

Name (Print/Type) Mark V. Seeley

Signature 

Registration No. (Attorney/Agent)

32,299

(Complete if applicable)

Telephone 408-765-7382

Date June 15, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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PTO/SB/17 (10-03)

Approved for use through 07/31/2008, OMB 0651-0032

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## Complete if Known

Application Number 10/052,853  
 Filing Date November 9, 2001  
 First Named Inventor Glen Wada et al.  
 Examiner Name J. Chen  
 Art Unit 2813  
 Attorney Docket No. 042390.P7196D

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:

Deposit Account Number 50-0221

Deposit Account Name Intel Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

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| Independent Claims 3 | -3** = 0     | 86             | 0        |
| Multiple Dependent   |              | 290            | 0        |

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\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
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| 1452 110                   | 2452 55                    | Petition to revive - unavoidable   |          |
| 1453 1,330                 | 2453 665                   | Petition to revive - unintentional   |          |
| 1501 1,330                 | 2501 665                   | Utility issue fee (or reissue)   |          |
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| 1603 640                   | 2503 320                   | Plant issue fee  |          |
| 1460 130                   | 2460 130                   | Petitions to the Commissioner  |          |
| 1807 50                    | 2807 50                    | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180                   | 2806 180                   | Submission of Information Disclosure Stmt                                  |          |
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| 1802 900                   | 2802 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

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## SUBMITTED BY

Name (Print/Type) Mark V. Seeley

Registration No. 32,299

Telephone 408-765-7382

Signature

Date June 15, 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

GLEN WADA  
R. V. GIRIDHAR  
ANTHONY OZZELLO

Serial No.: 10/052,853

Filed: November 9, 2001

For: FLASH MEMORY WITH UV  
OPAQUE PASSIVATION LAYER

Art Unit: 2813

Examiner: J. Chen

Attorney Docket: 042390.P7196D

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE

Dear Sir:

In response to the office action mailed May 17, 2004, applicants respectfully request the examiner to consider the accompanying remarks. The examiner continues to maintain that applicants did not fully respond to an objection to the drawings, which was presented in the October 3, 2003 office action. For the reasons set forth below, applicants continue to believe they fully responded to that objection in communications filed on November 21, 2003 and February 24, 2004. If the examiner continues to find that applicants have not fully responded (notwithstanding their arguments to the contrary), applicants respectfully request that the objection to the drawings be carried over to a new office action, or, alternatively, be held in abeyance until allowable subject matter is indicated.